

By: Nelson

S.B. No. 430

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to verification of the unavailability of community day  
3 care before the Department of Family and Protective Services  
4 provides day-care assistance or services.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Subchapter B, Chapter 264, Family Code, is  
7 amended by adding Section 264.124 to read as follows:

8 Sec. 264.124. DAY CARE FOR FOSTER CHILD. (a) In this  
9 section, "day care" means the assessment, care, training,  
10 education, custody, treatment, or supervision of a foster child by  
11 a person other than the child's foster parent for less than 24 hours  
12 a day, but at least two hours a day, three or more days a week.

13 (b) The department, in accordance with executive  
14 commissioner rule, shall implement a process to verify that each  
15 foster parent who is seeking monetary assistance from the  
16 department for day care for a foster child has attempted to find  
17 appropriate day-care services for the foster child through  
18 community services, including Head Start programs, prekindergarten  
19 classes, and early education programs offered in public schools.  
20 The department shall specify the documentation the foster parent  
21 must provide to the department to demonstrate compliance with the  
22 requirements established under this subsection.

23 (c) The department may not provide monetary assistance to a  
24 foster parent for day care for a foster child unless the department

1 receives the verification required under Subsection (b).

2 SECTION 2. Section 264.755, Family Code, is amended by  
3 adding Subsection (d) to read as follows:

4 (d) The department, in accordance with executive  
5 commissioner rule, shall implement a process to verify that each  
6 relative and designated caregiver who is seeking monetary  
7 assistance or additional support services from the department for  
8 day care as defined by Section 264.124 for a child under this  
9 section has attempted to find appropriate day-care services for the  
10 child through community services, including Head Start programs,  
11 prekindergarten classes, and early education programs offered in  
12 public schools. The department shall specify the documentation the  
13 relative or designated caregiver must provide to the department to  
14 demonstrate compliance with the requirements established under  
15 this subsection. The department may not provide monetary  
16 assistance or additional support services to the relative or  
17 designated caregiver for the day care unless the department  
18 receives the required verification.

19 SECTION 3. This Act takes effect September 1, 2013.